

THIRD DIVISION

[G.R. No. 179583, September 03, 2009]

**JIMMY BARNES A.K.A. JAMES L. BARNES, PETITIONER,
VS. TERESITA C. REYES, ELIZABETH PASION, MA. ELSA C.
GARCIA, IMELDA C. TRILLO, MA. ELENA C. DINGLASAN, AND
RICARDO P. CRISOSTOMO, RESPONDENTS**

DECISION

NACHURA, J.:

Assailed in this petition for review on *certiorari* under Rule 45 of the Rules of Court are the June 28, 2007 Decision^[1] and the September 18, 2007 Resolution^[2] of the Court of Appeals (CA) in CA-G.R. SP No. 94016. The relevant antecedent facts and proceedings follow.

In 1999, petitioner filed before the Regional Trial Court (RTC) of Quezon City, Branch 215 a complaint for specific performance with damages docketed as Civil Case No. Q-99-37219. On motion of respondents, the complaint was dismissed. The appellate court later affirmed the dismissal in CA-G.R. SP No. 69573. This Court, however, in its decision in G.R. No. 160753 on September 30, 2004, reversed and set aside the order of dismissal and remanded the case to the trial court with the instruction that the same be heard and tried with deliberate dispatch.^[3] On June 28, 2005, the Court denied with finality the motion for the reconsideration of the said decision.^[4]

RTC, Branch 215, of Quezon City, thus, proceeded to hear Civil Case No. Q-99-37219. On February 23, 2006, however, petitioner filed his motion for the inhibition^[5] of the presiding judge, Ma. Luisa C. Quijano-Padilla, allegedly to preclude doubts or apprehensions of partiality and to give the parties breathing space and peace of mind in the course of the adjudication of the proceedings.

After respondents filed their opposition, the RTC judge issued the March 7, 2006 Order^[6] declaring that she was voluntarily inhibiting herself from hearing the case and that she was granting the motion in order to dispel any doubt and perception of bias, and so that the faith and confidence in the justice system would not be eroded.

Disagreeing with the trial judge, respondents, on April 10, 2006, filed before the CA their Petition for Mandamus with Prayer for the Issuance of a Temporary Restraining Order and a Writ of Preliminary Injunction.^[7] Respondents contended in the main that there was no sufficient ground for the trial judge to inhibit herself from hearing the case.

On June 28, 2007, the CA rendered the assailed Decision^[8] granting the petition for mandamus, reversing and setting aside the inhibitory order issued by the trial court, and directing the said court to hear and decide the civil case with deliberate